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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. AM100249)

|                                |   |                        |
|--------------------------------|---|------------------------|
| In re Application of:          | ) | Appln. No.: 10/039,383 |
|                                | ) | Confirmation No.: 3951 |
| HSIEN-JUE CHU <i>et al.</i>    | ) | Customer No.: 25291    |
|                                | ) | Group Art Unit: 1645   |
| Filed: December 17, 2001       | ) | Examiner: S. Devi      |
|                                | ) |                        |
| For: IMPROVED MYCOPLASMA       | ) |                        |
| HYOPNEUMONIAE BACTERIN VACCINE | ) |                        |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith in the above-referenced patent application is an Amendment with Appendix. It is believed that no further fee is required.

Respectfully submitted,

WYETH

Date: December 7, 2005

By: Anne M. Rosenblum  
Anne M. Rosenblum  
Attorney for Applicants  
Registration No. 30,419

FILING BY EXPRESS MAIL UNDER 37 C.F.R. § 1.10

This correspondence and the accompanying documents identified hereinabove are being deposited with the U.S. Postal Service on December 7, 2005 to be delivered by the "Express Mail Post Office to Addressee" service under Mailing Label Number EQ 077675168 US addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Anne M. Rosenblum  
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AMENDMENT

Dear Sir:

Responsive to the Official action mailed September 7, 2005, please amend the above-referenced patent application using the below instructions.

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In accord with 37 C.F.R. § 1.121, the amendment to the claims and a complete listing of all pending claims in the application begin on a separate sheet. The amendment adds no new matter into the application. For the convenience of the Office staff, the amendment is placed in the below Appendix and incorporated herein by reference thereto.

Taking the art rejections first, the Examiner has modified the previous rejections of record, rejected Claims 10-12 under 35 U.S.C. § 103(a) as being unpatentable over Petersen *et al.* and Byars *et al.* in view of Liem *et al.* for reasons set forth on pages 15-17 of the Office action and rejected Claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Petersen *et al.* as modified by Byars *et al.* and Liem *et al.* as applied to Claim 10 above, and further in view of Frantz *et al.* and Pijoan for reasons set forth on pages 17 and 18 of the Office action.

At the outset, Applicants gratefully acknowledge that, although agreement was not reached, the Examiner had kindly indicated allowable subject matter to the undersigned attorney during the telephone interview of August 22, 2005, made of record in this case. Consequently, with one minor exception, the present amendment to the method of Claim 10

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